

Minutes of Meeting  
COLORADO RIVER BOARD OF CALIFORNIA  
Wednesday, November 15, 2017

A meeting of the Colorado River Board (Board) of California was held on Wednesday, October 11, 2017.

Committee Members and Alternates Present

Dana B. Fisher, Jr., Chairman  
Christopher Hayes  
Jeanine Jones  
Peter Nelson  
Glen D. Peterson

David R. Pettijohn, Vice-Chairman  
Jack Seiler  
Mark Watton  
Doug Wilson  
Hank Kuiper

Committee Members and Alternates Absent

Norma Sierra Galindo  
James Hanks

John Powell, Jr.  
David Vigil

Others Present

Steve Abbott  
Melissa Baum-Haley  
Karen Donovan  
Bill Hasencamp  
Ned Hyduke  
David De Jesus  
Tom Levy  
Jan Matusak  
Kara Mathews  
Vic Nguyen  
Jessica Neuwerth  
Craig Parker

Autumn Plourd  
Eric Ruckoaschez  
Shanti Rosset  
Tom Ryan  
Jack Seiler  
Gary Tavetian  
Alina Tishchenko  
Joe Vanderhorst  
Kimberlyn Velasquez  
Jerry Zimmerman

## **CALL TO ORDER**

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:13 a.m.

## **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Chairman Fisher invited members of the audience to address the Board on items on the agenda or matters related to the Board. Mr. Tom Levy provided a brief overview of the agenda for the upcoming Colorado River Authority's Oroville Dam tour that will be held on January 31 and February 1, 2017.

## **ADMINISTRATION**

Chairman Fisher asked for a motion to approve the October 11, 2017 meeting minutes. Mr. Wilson moved that the minutes be approved, seconded by Mr. Pettijohn, and with unanimous consent, the October 11, 2017 meeting minutes were approved.

Chairman Fisher asked for a motion to approve the 2018 Colorado River Board meeting schedule. Mr. Wilson moved that the proposed schedule be approved, seconded by Mr. Kuiper, and with unanimous consent, the Board meeting schedule was approved.

Chairman Fisher reminded the Board that several months ago, a subcommittee was created to review policies and procedures for the Colorado River Board. The goal of the subcommittee is to review the relationship between the Colorado River Board, the Six Agency Committee and the Colorado River Authority. Chairman Fisher indicated that there are legal and operational questions that would need to be reviewed and asked for each agency to nominate a member to represent the subcommittee to review rules, regulations, and bylaws.

## **COLORADO RIVER BASIN WATER REPORTS**

Mr. Harris reported that as of November 6<sup>th</sup>, the water level at Lake Powell was 3,626.77 feet with 14.49 million-acre feet (MAF) of storage, or 60% of capacity. The water level at Lake Mead was 1,081.97 feet with 10.17 MAF of storage, or 39% of capacity. As of November 6<sup>th</sup>, the total system storage was 32.56 MAF, or 55% of capacity, which is about 2.72 MAF more than the total system storage at this time last year. Mr. Harris reported that the observed precipitation for Water Year-2017 was 11.91 MAF, or 110% of normal. The observed April to July 2017 inflow

into Lake Powell was 8.17 MAF, or 114% of normal. The October observed inflow was close to 500,000 AF, or 88% of normal and the inflow forecast for November is 430,000 AF, or 91% of normal. The Water Year-2018 precipitation to date is 62%. Mr. Harris reported that precipitation in September was scattered throughout the Basin, but better in the Upper Basin. In October, precipitation throughout the Basin was well below normal.

Mr. Harris reported on the ongoing drought conditions in the Western United States, noting that Montana is still experiencing extreme drought conditions, while the rest of the region was doing well.

Mr. Harris reported that as of November 6<sup>th</sup>, the Upper Colorado River basin reservoirs, excluding Lake Powell, ranged from 73% of capacity at Fontenelle in Wyoming, 93% of capacity at Flaming Gorge in Wyoming and Utah, 95% of capacity at Morrow Point and 80% of capacity at Blue Mesa in Colorado, and 76% of capacity at Navajo in New Mexico.

Mr. Harris reported that through November 8<sup>th</sup>, Brock reservoir captured 84,923 AF, while Senator Wash captured 95,472 AF through November 9<sup>th</sup>. He also reported that the excess deliveries to Mexico this calendar year were 16,168 AF as of November 12<sup>th</sup>. As of November 7<sup>th</sup>, the total bypassed flows to the Cienga de Santa Clara in Mexico were 86,543 AF.

### **State and Local Reports**

Ms. Jones, representing the California Department of Water Resources (DWR), reported that Northern California is having its first atmospheric river storm of the season. She stated that DWR has installed two atmospheric river observatories: one at the Carquinez Strait to catch big storms that may come through the gap in the hills and head north up to the valley, and one in Thermalito near Oroville. Ms. Jones indicated that the Board should visit the observatory during an upcoming Colorado River Authority (CRA) tour to Oroville Dam.

Mr. Jones reported that last week, DWR co-hosted a workshop aimed at improving long-range precipitation forecasting with the Association of California Water Agencies (ACWA) in Sacramento. She noted that at the upcoming Colorado River Water Users Association conference (CRWUA), DWR will be meeting with the Bureau of Reclamation (Reclamation) to discuss a pilot project for improving precipitation forecasting in the Upper Colorado River Basin. Ms. Jones reported that on December 5<sup>th</sup>, DWR will be co-hosting a workshop with the National Water Research Institute (NWRI) in Orange County to discuss the release of the Paleo reconstruction update of the Colorado River and local southern California rivers performed by the University of Arizona. The reconstructed droughts date back to the 1100s. Ms. Jones noted that this information will be useful for risk management planning for droughts. Ms. Jones noted that the paleo-analysis will be available on DWR's website following the workshop. Chairman Fisher commented on the importance of accurate forecasting as it will help agencies be more prepared to store water and mitigate storm events.

Board member Peterson, representing the Metropolitan Water District of Southern California (MWD), reported that MWD was able to store more water in Diamond Valley Lake reservoir, which may stave off any water loss in San Luis Reservoir. Mr. Peterson also noted that water usage has also increased due to more use in summer months and recharge activities.

## **STATUS OF COLORADO RIVER BASIN PROGRAMS**

### **Status of the Drought Contingency Plan**

Mr. Harris provided an update on the progress of the Drought Contingency Plan (DCP). He reported that since the Basin principals met in Sante Fe, New Mexico in September and finished Minute 323, they have been working on the Lower Basin DCP Term Sheet. There is a small drafting group made up of representatives of agencies of the Lower Basin states that have been working over the past few weeks to refine and clarify the Term Sheet. He noted that the Lower Basin principals are meeting with the small drafting group on Friday, November 17<sup>th</sup> at the Southern Nevada Water Authority's office in Las Vegas, Nevada to review the progress. Mr. Harris added that Lower Basin agencies have also been reviewing the Term Sheet, and interstate discussions and agreement will need to be successfully concluded before the Lower Basin states and the Secretary of the Interior can implement the drought contingency plans.

Mr. Harris stated that the next step would be for the Lower Basin to re-engage with the Upper Basin states to clarify and address any concerns. Mr. Harris stated that a Seven Basin States agreement may be necessary for this process, similar to an agreement for the 2007 Interim Guidelines, to address specific issues such as reservation of rights. He acknowledged that there is a relationship between the Lower Basin DCP, the 2007 Interim Guidelines, and Minute No. 323. Mr. Harris noted once the Lower Basin DCP is approved, then Section IV of the Minute No. 323 will be activated to allow for contributions to be made to Lake Mead. Mr. Harris also noted that some states believe that the Lower Basin DCP should require federal legislation to be implemented, which may be difficult to achieve by August 2018. Board staff will compile a document that summarizes the key points of the Lower Basin DCP and recent modeling results, and will be available to the agencies and staff soon.

Chairman Fisher added that there should not be any significant changes to the Lower Basin Term Sheet after the upcoming principals' meeting, and believed it would be difficult to finalize the Lower Basin DCP if federal legislation is required. There are concerns by the Upper Basin states that elements of the Lower Basin DCP would require operations outside of the 2007 Interim Guidelines. Mr. Harris also said there are concerns by Arizona related to certain volumes of water stored in Lake Mead (II.B.6) and whether they would be safe from other states trying to access the water via legal mechanisms. Some of the states would like an agreement that the Secretary will operate the reservoir system conjunctively according to the 2007 Interim Guidelines and the Lower Basin DCP, and nothing more, because there are concerns that the Lower Basin states will try to

access water in Lake Powell if Lake Mead's elevation declines tremendously. Mr. Bill Hasencamp, Colorado River Resources Manager for MWD, added that some states believe the Decree limits California's ability to receive more than 4.4 MAF under shortages and federal legislation would be required to implement the Lower Basin DCP. Chairman Fisher added that since the 2007 Interim Guidelines was adopted, there has been a change in administration in the other Basin States and these changes have brought about new principals and a desire for new policies. Ms. Jones inquired whether National Environmental Policy Act (NEPA) compliance would be required, as it was for the 2007 Interim Guidelines. Mr. Harris responded that we are still evaluating the environmental compliance of implementing the DCP.

### **Minute 323 Status**

Mr. Harris provided an update on Minute No. 323 implementation, which is in effect through the end of the 2007 Interim Guidelines. Mr. Harris reported that sections of the International Boundary and Water Commission (IBWC) and CILA for Mexico are staffing up for various minute work groups which include Salinity, Environmental, Projects, Hydrology, Flow Variability, Desalination, and if necessary, an All-American Canal Turnout and System Operations. He noted that there are tentative place holders for agency participation in the work groups and there will be at least one California agency on every work group. The work groups will issue reports as they move forward. The Environmental work group will be meeting in late November, and the Desalination work group is scheduled to meet in early December.

### **Status of the Colorado River Basin Salinity Control Program**

Mr. Nguyen reported that the Forum, Advisory Council and Work Group met in Sacramento from October 23 to 26. During the meeting, the 2017 Triennial Review was officially approved. The next step would be for the state water quality agencies to adopt the standards and then extend the Review to the U.S. Environmental Protection Agency for concurrence and adoption. A copy of the Review was sent to the Governors of the seven Basin States. Mr. Nguyen reported that the Review highlighted the continuing need for program funding to reduce economic damage and to maintain the current salinity control levels already in place.

Mr. Nguyen reported that the group heard a presentation from MWD staff on the benefits of the California WaterFix project to increase water supply reliability and the current risks to the Delta areas, including seismicity, sea level rise and subsidence. The members spent a day touring various locations of the proposed project.

Mr. Nguyen provided an update on the Salinity Economic Impact Model (SEIM), which now includes additional subareas. Within California, the model added the service areas of Palo Verde Irrigation District, Coachella Valley Water District, and Imperial Irrigation District. The 2017 Triennial Review included an update of the SEIM model. Reclamation is in the process of

selecting a contractor to review and update the model. The Request for Proposal that was released on October 26 is closing this week. The contractor will be expected to review existing and potential new impact functions that are used to estimate economic damage.

At the last Board meeting, Mr. Nguyen reported that the schedule for Paradox Valley Unit EIS has been delayed a few months due to a pilot project that Reclamation is getting ready to implement using the zero-liquid discharge technology. The mobilization for that pilot project could occur as soon as December 2017. Draft and final reports from the pilot project are expected by Spring 2018 and Reclamation's Technical Service Center will be providing technical assistance.

Mr. Nguyen reported that Reclamation is looking at funding forecast three years out, with a recommendation of \$13.9M for the NRCS' Environmental Quality Incentives Program, \$8.7M for Reclamation's Basinwide Program, and \$1.5M for BLM's Soil, Air, and Water Program for 2018. At this funding level, the program controls about 1.33 million tons of salt per year. Mr. Nguyen reported that the Application Review Committee for Reclamation's 2017 Funding Opportunity Announcement will be meeting in early December to review applications. Mr. Harris added that the projects to be reviewed are entities in the Title II project areas in the Upper Basin.

Mr. Wilson inquired why an update to the SEIM was necessary. Mr. Harris responded that the earlier model was old and mainly looked at M&I in the Lower Basin. The new model tries to capture all the users of Colorado River water in the Lower Basin and the effects of salinity, including residential impacts and agricultural impacts in Arizona. A significant amount of work was done by MWD with respect to its service area, and the model is a more accurate tool on salt loading and TDS impact on each state. Mr. Harris added that the new model would help with justifying funding levels for the program as well, and will become a much more powerful and relevant tool going forward.

### **Status of the Lower Colorado River Multi-Species Conservation Program**

Board Staff Neuwerth reported that the Steering Committee of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) met on October 23<sup>th</sup> in Las Vegas, Nevada. Ms. Neuwerth noted that the addition of the northern Mexican gartersnake to the LCR MSCP as a covered species was progressing, with the action securing approval of the Washington, D.C. office of the U.S. Fish and Wildlife Service. The Steering Committee hopes to have the addition completed within the next six months to allow construction to move forward at affected sites.

Ms. Neuwerth also noted that the Steering Committee received an update on a fish mortality event that occurred at the Lake Mead Fish Hatchery in August, leading to the loss of approximately 8,000 native fish being reared at the hatchery for the LCR MSCP. Ms. Neuwerth

noted that the loss, caused by an unexpected water outage, was the Program's second loss of native fish in a year, prompting discussions about how to avoid similar events in the future.

Finally, Ms. Neuwerth noted that the LCR MSCP would hold its annual Colorado River Aquatic Biologists meeting and Colorado River Terrestrial and Riparian meeting in Laughlin, Nevada in January 2018. These meetings provide researchers an opportunity to share their latest monitoring and research information.

## **ANNOUNCEMENTS**

Mr. Harris indicated that Ms. Brenda Burman has not been confirmed as a Commissioner of the Bureau of Reclamation. Senator Dick Durbin, a Democrat from the State of Illinois, had a hold on the Department of Interior's nominations. Mr. Durbin was planning to sit down with Secretary Ryan Zinke to discuss DOI's review of National Monuments. Mr. Harris reported that Mr. Stephen Censky was confirmed by the U.S. Senate as Deputy Secretary of Agriculture. The President nominated Dr. Timothy R. Petty to be the Assistant Secretary for Water and Science at the Department of the Interior.

Mr. Harris reported that on November 7<sup>th</sup>, the State Water Resources Control Board adopted a revised order for the 2002-13 Water Order, and associated with that was the stipulated agreement that the State lay out a comprehensive plan for implementation of the 10-year Phase I of the Salton Sea Management Plan.

## **ADJOURNMENT**

With no further items to be brought before the Board, Chairman Fisher adjourned the meeting at 11:30 a.m.